

# House File 497 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HSB 85)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to permit fees for diverting, storing, or  
2 allocating water, making appropriations, and including an  
3 effective date provision.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1279HV 82  
6 tm/gg/l4

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1 1 Section 1. Section 455B.265, Code 2007, is amended by  
1 2 adding the following new subsection:  
1 3 NEW SUBSECTION. 6. The department may charge an annual  
1 4 fee to a person that has been granted a permit pursuant to  
1 5 this section or required to have a permit pursuant to section  
1 6 455B.268. The commission shall adopt rules setting the fees.  
1 7 The amount of a fee shall be based on the amount of water  
1 8 stored, allocated, or diverted and the department's reasonable  
1 9 cost of reviewing applications, issuing permits, and checking  
1 10 compliance with terms of the permits. Fees collected pursuant  
1 11 to this subsection are appropriated to the department for  
1 12 purposes of this subsection. Each fiscal year, the department  
1 13 shall not collect an aggregate amount of fees pursuant to this  
1 14 subsection in excess of five hundred thousand dollars. The  
1 15 commission shall annually review the amount of moneys  
1 16 generated by fees, the balance in the fee account, and  
1 17 anticipated expenses for the succeeding fiscal year. Moneys  
1 18 generated by such fees shall be used to contract with  
1 19 qualified parties to gather scientific information about  
1 20 aquifer characteristics, quantity of water stored in an  
1 21 aquifer, and the effects of withdrawing water from an aquifer,  
1 22 and to review applications, issue permits, provide technical  
1 23 assistance to permit applicants, and check compliance with  
1 24 terms of the permits.  
1 25 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,  
1 26 2008.

## EXPLANATION

1 27 This bill relates to permit fees for diverting, storing, or  
1 28 allocating water.  
1 29 The bill allows the department of natural resources to  
1 30 charge an annual fee to a person required to have a permit for  
1 31 diverting, storing, or allocating water from any surface or  
1 32 groundwater source or for diverting water or material from the  
1 33 surface directly into an underground watercourse or basin.  
1 34 The bill requires the environmental protection commission to  
2 1 set the fees. The bill provides criteria for setting fees.  
2 2 The bill appropriates fees collected to the department for  
2 3 purposes provided in the bill. The bill provides that each  
2 4 fiscal year, the department shall not collect an aggregate  
2 5 amount of fees in excess of \$500,000. The bill requires the  
2 6 commission to annually review the amount of moneys generated  
2 7 by fees, the balance in the fee account, and anticipated  
2 8 expenses for the succeeding fiscal year. The bill requires  
2 9 moneys generated by such fees to be used to contract with  
2 10 qualified parties to gather scientific information about  
2 11 aquifer characteristics, quantity of water stored in an  
2 12 aquifer, and the effects of withdrawing water from an aquifer,  
2 13 and to review applications, issue permits, provide technical  
2 14 assistance to permit applicants, and check compliance with  
2 15 terms of the permits.  
2 16 The bill takes effect January 1, 2008.

2 17 LSB 1279HV 82  
2 18 tm:rj/gg/14